16-1588m

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Miguel A. Cruz-Vega, do hereby depose and state:

AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since September 2015. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center as well as the ATF Special Agent Basic Training Academy. I have a Bachelor of Science degree in Computer Science from the Interamerican University of Puerto Rico and a Masters degree in Technology Management from the University of Phoenix.

2. I have drafted this Affidavit for the limited purpose of establishing probable cause for the violations listed on the attached Criminal Complaint, and therefore have not included all of the facts of this investigation. I am aware of the facts set forth herein based on my personal knowledge and conversations with other federal and state law enforcement officers. These facts are true and correct to the best of my knowledge.

FACTS SUPPORTING PROBABLE CAUSE

3. On October 11th, 2016 at approximately 10:00am, officers assigned to the Puerto Rico Police Department (PRPD) Ponce Drugs Unit (PDU) received a call from a confidential informant (CI) indicating that an individual was in possession of a firearm in Villalba, Puerto Rico. The CI gave a description of an individual named, **Ricardo MORALES-RODRIGUEZ**, his vehicle, a gold Mazda, model 3, bearing a Puerto Rico license plate number HIU-121 and his workplace: ConWaste in Villalba, Puerto Rico.

4. At approximately 11:00am, on that same date, PDU Officers arrived at ConWaste and observed **MORALES-RODRIGUEZ'** vehicle parked at the ConWaste facilities. PDU officers waited until **MORALES-RODRIGUEZ** got out of work. At approximately 1:00pm on that same date, **MORALES-RODRIGUEZ** headed out of ConWaste and proceed to drive on Road 149. While **MORALES-RODRIGUEZ** was driving on Road 149, PDU Officers approached the right side of **MORALES-RODRIGUEZ'** vehicle in a PRPD unmarked unit. While driving beside **MORALES-RODRIGUEZ'** vehicle, PDU Officers observed a firearm inside **MORALES-RODRIGUEZ'** vehicle, between the driver and front passenger seats.

5. Back-up PDU officers subsequently arrived in a marked unit and ordered MORALES-RODRIGUEZ to stop, which **MORALES-RODRIGUEZ** did. The PDU Officers exited their vehicle and approached the Mazda 3.

6. PDU Officers asked **MORALES-RODRIGUEZ** if he had a license to possess a firearm, to which he responded that he did not. PDU Officers proceeded to place **MORALES-RODIGUEZ** under arrest and recovered the firearm.

7. The items recovered from **MORALES-RODRIGUEZ'** vehicle were: a pistol Glock, model 21, .45 caliber, serial number: BKW-489 loaded with a magazine of 13 rounds ammunition. The firearm had a chip attached to it that is commonly used to modify them to fire in the fully automatic capacity, a dry test confirmed the aforementioned.

8. While being interviewed by ATF agents, **MORALES-RODRIGUEZ,** after waiving his Miranda rights in writing, stated that he had purchased the firearm for approximately $400.00.

9. A criminal history query on **MORALES-RODRIGUEZ** revealed that he had been previously convicted of a felony crime punishable by imprisonment exceeding one year.

10. The investigation further revealed that these firearms are not manufactured in Puerto Rico and therefore, the investigation concluded that the aforementioned firearms had been shipped or transported in interstate or foreign commerce.

11. Based on the above facts, the undersigned affiant respectfully submits there is probable cause to charge **Ricardo MORALES-RODRIGUEZ** with violating Federal Firearms laws, to wit: Title 18, United States Code, Section 922(g)(1), felon in possession of a firearm and 922(o) possession of a machinegun.

Special Agent Miguel A Cruz-Vega
Bureau of Alcohol, Tobacco, Firearms and Explosives

SUBSCRIBED and SWORN before me this 12th day of October of 2016 in San Juan, Puerto Rico.

Honorable Camille Velez-Rivé
United States Magistrate Judge
District of Puerto Rico